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Attorneys for Defendant  
Otto Trucking LLC

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

Waymo LLC,

**Plaintiff.**

V.

Uber Technologies, Inc.; Ottomotto LLC; Otto Trucking LLC

## Defendants

Case No. 3:17-cv-00939-WHA

**DECLARATION OF HAYES P. HYDE IN  
SUPPORT OF PLAINTIFF'S  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL ITS MOTION TO COMPEL  
TEXT MESSAGES [DKT. NO. 1117]**

Courtroom: 8, 19<sup>th</sup> Floor  
Judge: Hon. William Alsup  
Trial Date: October 10, 2017

1 I, Hayes P. Hyde, declare as follows:

2 1. I am an attorney at the law firm of Goodwin Procter, LLP. I make this declaration  
 3 based upon matters within my own personal knowledge and if called as a witness, I could and  
 4 would competently testify to the matters set forth herein. I make this declaration in support of  
 5 Plaintiff's Administrative Motion to File Under Seal Its Motion to Compel Text Messages [Dkt.  
 6 No. 1117].

7 2. I have reviewed the following documents and confirmed that only the portions  
 8 identified below merit sealing:

Document	Portions to Be Filed Under Seal
Motion	Blue highlighted portions

9 3. The highlighted portions of the Motion include highly confidential, sensitive  
 10 business information relating to Otto Trucking's corporate structure, and may contain sensitive  
 11 business information relating to the terms of co-defendants Uber and Ottomotto's agreements.  
 12 This information is not publicly known, and its confidentiality is strictly maintained. I understand  
 13 that this information could be used by competitors to Otto Trucking's detriment, including in the  
 14 context of negotiating business deals. If such information were made public, I understand Otto  
 15 Trucking's competitive standing could be significantly harmed.

16 4. Defendant's request to seal is narrowly tailored to those portions of the Plaintiff's  
 17 Motion and its supporting papers that merit sealing.

18 I declare under penalty of perjury under the laws of the United States that the foregoing is  
 19 true and correct. Executed this 10th day of August, 2017 in San Francisco, California.

20  
 21  
 22 /s/ Hayes P. Hyde  
 23 Hayes P. Hyde  
 24  
 25  
 26  
 27  
 28

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on August 10, 2017. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct. Executed this 10<sup>th</sup> day of August 2017.

/s/ Hayes P. Hyde  
Hayes P. Hyde